



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EAG/AL
F.#2011R00006

271 Cadman Plaza East
Brooklyn, New York 11201

March 5, 2012

By Hand Delivery and ECF

The Honorable Kiyo A. Matsumoto
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Joseph Collina
Criminal Docket No. 11-32 (KAM)

Dear Judge Matsumoto:

The government respectfully submits this letter regarding restitution in the above-captioned case.

On March 5, 2012, the Court imposed a 16-month term of imprisonment and a two-year term of supervised release on the defendant. The Court also ordered restitution but did not specify an amount, and directed the government to describe the origin of the cigarettes involved in Racketeering Act One of Count One, alleging possession of contraband cigarettes, in violation of 18 U.S.C. § 2342(a).

The cigarettes possessed by the defendant were acquired by the Federal Bureau of Investigation from the manufacturer, and were not the subject of a prior seizure. No taxes were paid on the cigarettes before the defendant possessed them. Therefore, restitution should be ordered in the amount of \$5,194, which is

the total amount of the unpaid taxes on those cigarettes.
(Presentence Investigation Report ("PSR") ¶ 107.)

Respectfully submitted,

LORETTA E. LYNCH
United States Attorney

By: /s/
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cc: Clerk of the Court (KAM) (by ECF)
Jean D. Barrett, Esq. (by ECF)
Michelle Espinoza, U.S. Probation Officer (by email)